

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION**

Daniel Wayne Parris,)	
)	Civil Action No.: 4:16-cv-03936-JMC
Plaintiff,)	
)	
v.)	ORDER
)	
Commissioner of Social Security)	
Administration,)	
)	
Defendant.)	
_____)	

This matter is before the court on Plaintiff Daniel Wayne Parris’ (“Plaintiff”) Petition for Attorney’s Fees under the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412(d), filed on January 2, 2019. (ECF No. 33.) Defendant Commissioner of Social Security Administration (“the Commissioner”) responded to Plaintiff’s Motion on January 11, 2019, and the parties agreed to a stipulation that Plaintiff should be awarded five thousand nine hundred dollars and zero cents (\$5,900.00) in attorney’s fees. (ECF No. 34 at 1.) After reviewing Plaintiff’s Motion (ECF No. 33) and the Commissioner’s Response (ECF No. 34), the court finds that the stipulated request for fees is reasonable and that Plaintiff is entitled to an award of attorney’s fees under the EAJA in the stipulated amount.

In accordance with *Astrue v. Ratliff*, 560 U.S. 586, 589 (2010), fees awarded pursuant to the Equal Access to Justice Act (“EAJA”) belong to the litigant, thus subjecting EAJA fees to be offset under the Treasury Offset Program, 31 U.S.C. § 3716(c)(3)(B). Therefore, the court directs that fees be payable to Plaintiff and delivered to Plaintiff’s counsel. *Ratliff*, 560 U.S. at 589. The amount of attorney’s fees payable to Plaintiff will be the balance of stipulated attorney’s fees remaining after subtracting the amount of Plaintiff’s outstanding federal debt. 31 U.S.C. § 3716.

If Plaintiff's outstanding federal debt exceeds the amount of attorney's fees under the stipulation, the stipulated amount will be used to offset Plaintiff's federal debt and no attorney's fees shall be paid. *See id.* (See ECF No. 34 at 2.)

After a thorough review of Plaintiff's Motion (ECF No. 33) and the Commissioner's Response (ECF No. 34), the court **GRANTS** Plaintiff's Motion for Attorney's Fees and Costs (ECF No. 33) and awards \$5,900.00 in attorney's fees.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "J. Michelle Childs". The signature is written in a cursive, flowing style.

United States District Judge

April 29, 2019
Columbia, South Carolina